January 6, 2011

Carole Cifrino
Program Manager
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

RE: ***Implementing Product Stewardship in Maine Report***

Dear Ms. Cifrino:

On behalf of the Healthcare Distribution Management Association (HDMA) and its eleven distributor members servicing Maine, please see the following comments regarding the Department of Environmental Protection's (DEP) *Implementing Product Stewardship in Maine* report. Each business day, HDMA member companies ensure that more than nine million prescription medicines and healthcare products are safely delivered to more than 164,000 pharmacies, hospitals, nursing homes, physician offices, clinics and others nationwide. HDMA and its members work daily to provide value and contain costs, saving the nation's healthcare system an estimated $32 billion per year.

HDMA commends the DEP's efforts in trying to determine how to best dispose of unused pharmaceuticals. We share your concerns regarding public health and safety and the environment. However, we also believe this report's goals of protecting the environment will not be achieved by placing additional requirements on distributors who have little relevance to a drug disposal program. Because distributors are not involved in the drug disposal process, no current drug disposal program in the country includes requirements for distributors.

Specifically, on pages 11 and 18, the report recommends that pharmaceutical wholesalers annually provide the DEP with a list of manufacturers whose products, including medical sharps, they have sold in or into the state during the previous year.

As stated in our January 15th, 2010 letter to Representative Anne Perry regarding L.D. 821, in addition to our January 19th, 2010 testimony before the Committee on Health and Human Services, HDMA believes the proposed requirement that distributors report the name and contact information for each manufacturer they purchase from is redundant and unnecessary considering the manufacturer licensing information that already exists with the Maine Board of Pharmacy. As you will see in the statute below, the state of Maine requires manufacturer and wholesalers to be licensed with the state. In fact, Maine has one of the stricter licensing requirements among states in that this language requires the licensing of a manufacturer who has any product distributed in the state.

> ME Rev. Stat. Title 32 §137582(2) Licensure, manufacturers and wholesalers.
> *All manufacturers and wholesalers whose products are distributed in the State in any manner must be licensed by the Maine Board of Pharmacy.*

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HDMA members work daily to maintain and enhance the safety and security of the drug supply; however, these proposed distributor requirements will have no effect on the success of a drug disposal program. HDMA respectfully requests department officials to reconsider this approach. Thank you for your time and consideration and please do not hesitate to contact me at 703-885-0236 should you have any questions or need additional information.

Sincerely,

Daniel G. Bellingham
Director, State Government Affairs